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Please Direct All Correspondence to Customer Number **20995****AMENDMENT / RESPONSE TRANSMITTAL**

Applicant : Samuel M. Shaolian et al.  
 App. No : 10/642,399  
 Filed : August 15, 2003  
 For : ARTICULATING SPINAL FIXATION  
 ROD AND SYSTEM  
 Examiner : Eduardo C. Robert  
 Art Unit : 3732

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

October 26, 2005

(Date)

Rabinder N. Narula, Reg. No. 53,371

**Mail Stop Amendment**

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing in the above-identified application are the following enclosures:

(X) Amendment in 11 pages.

The fee has been calculated as shown below:

FEE CALCULATION					
FEE TYPE		FEE CODE	CALCULATION	TOTAL	
Excess Claims	38 - 45 = 0	1202 (\$50)	0 x 50 =	\$0	
Excess Independent	5 - 7 = 0	1201 (\$200)	0 x 200 =	\$0	
<b>TOTAL FEE DUE</b>				<b>\$0</b>	

(X) Return prepaid postcard.

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Rabinder N. Narula  
 Registration No. 53,371  
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 Customer No. 20,995  
 (949) 760-0404

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Samuel M. Shaolian et al.
Appl. No.	:	10/642,399
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Examiner	:	Eduardo C. Robert
Group Art Unit	:	3732

AMENDMENT

**Mail Stop Amendment**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed July 26, 2005, Applicant respectfully submits the following amendments and comments in connection with the above-captioned application

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks/Arguments** begin on page 9 of this paper.